

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, :
v. : Case No. 3:04-cr-36-KRG-KAP
KEVIN FLOOD, : (Case No. 3:11-cv-50-KRG-KAP)
Movant :
:

MEMORANDUM ORDER

Movant Kevin Flood's Motion to Vacate, docket no. 473, was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(3), and Local Rule 72 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on March 6, 2014, docket no. 534, recommending that the motion to vacate be denied.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days to file written objections to the Report and Recommendation. Movant filed a motion to stay, docket no. 535, that the Magistrate Judge regarded as a motion for extension of time to file objections and granted until April 14, 2014. See docket no. 536. Movant filed objections or an appeal from that order, docket no. 538, that the Magistrate Judge regarded as a further motion for extension of time to file objections and granted until May 5, 2014. See docket no. 538.

Movant filed objections dated April 11, 2014, on April 21, 2014, docket no. 540. He was granted until May 5, 2014, to file additional objections, but none have been filed.

After de novo review of the record of this matter, the Report and Recommendation, and the timely objections thereto that were filed, the following order is entered:

AND NOW, this 20th day of May, 2014, it is

ORDERED that the motion to vacate, docket no. 473, is denied. No certificate of appealability is issued. The Report and Recommendation at docket no. 534 is adopted as the opinion of the Court. The Clerk shall mark the civil matter closed.

BY THE COURT:



KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

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